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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,367	05/09/2005	Takashi Sano	05279/LH	2934
1933 7590 04/09/2008 FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708			EXAMINER GOODWIN, JEANNE M	
			ART UNIT 2833	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,367

Applicant(s)

SANO, TAKASHI

Examiner

Jeanne-Marguerite Goodwin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/9/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-8, 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,219,302 to Tanoguchi et al. [hereinafter Tanoguchi].

Regarding claim 1: Tanoguchi discloses a time-data transmitting apparatus comprising: a transmission-demand signal receiving portion (24) which receives a weak-wave transmission-demand signal (S1); and a transmission control portion (2) which transmits a radio wave containing time data (S2b), at a predetermined time at a first intensity (-3 dB), and a radio wave containing the time data (S2a), at a second intensity (-20 to -130 dB), lower than the first intensity when the transmission-demand signal receiving portion (24) receives the weak-wave transmission-demand signal S1 (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Regarding claim 2: Tanoguchi discloses the time-data transmitting apparatus according to claim 1, wherein the transmission control portion (2) transmits the radio wave containing the time data (S2a), at the second intensity, for a predetermined time (col. 6, lines 40-63).

Regarding claim 3: Tanoguchi discloses the time-data transmitting apparatus according to claim 1, further having: a time-measuring portion (24) which measures the current time data (S1); a radio-wave receiving portion (20a) which receives a standard-

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time radio wave signal (S1) containing time data; and a time-correcting portion (25) which corrects the current time data measured by the time-measuring portion (24), on the basis of the time data contained in the standard-time radio wave signal received by the radio-wave receiving portion (20a), wherein the transmission control portion (2) transmits radio wave that contains the time data based on the current time data measured by the time-measuring portion (24) (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Regarding claim 5: Tanoguchi discloses the time-data transmitting apparatus according to claim 1, wherein the time data contained in the radio wave represents time in minimum units of minutes (col. 4, lines 23-38).

Regarding claim 6: Tanoguchi discloses the time-data transmitting apparatus according to claim 1, wherein the predetermined time is a one-minute interval (col. 4, lines 23-38).

Regarding claim 7: Tanoguchi discloses the time-data transmitting apparatus according to claim 3, wherein the radio wave transmitted from the transmission control portion (2) is of the same frequency and same format as the standard-time radio wave signal (co. 3, lines 60-67, col. 4, lines 1-10).

Regarding claim 8: Tanoguchi discloses the time-data transmitting apparatus according to claim 3, wherein the radio wave transmitted from the transmission control portion (2) is of a frequency and format, at least one of which differs from that of the standard-time radio wave signal (col. 6, lines 40-63).

Regarding claim 16: Tanoguchi discloses a time-data transmitting apparatus comprising: a transmission-demand signal receiving portion (24) which receives a weak-

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wave transmission-demand signal (S1); and a transmission control portion (2) which transmits a radio wave containing time data (S2b), at a predetermined time at a first intensity (-3 dB), and a radio wave containing the time data (S2a), at a second intensity (-20 to -130 dB), lower than the first intensity when the transmission-demand signal receiving portion (24) receives the weak-wave transmission-demand signal S1 (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65), a clock (3) which comprises a time-measuring portion (24) which measures the current time; a transmission-demand transmitting portion (2) which transmits the weak-wave transmission-demand signal; a wave-receiving portion (20a) which receives a radio wave transmitted from the time-data transmitting apparatus (1) and containing a time code; and a time-correcting portion (25) which corrects the time on the basis of the time data received by the wave-receiving portion (20a) (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Regarding claim 17: Tanoguchi discloses the time-data transmitting apparatus according to claim 16, wherein the transmission control portion (2) transmits the radio wave containing the time data (S2a), at the second intensity, for a predetermined time (col. 6, lines 40-63).

Regarding claim 18: Tanoguchi discloses the time-data transmitting apparatus according to claim 16, further having: a time-measuring portion (24) which measures the current time data (S1); a radio-wave receiving portion (20a) which receives a standard-time radio wave signal (S1) containing time data; and a time-correcting portion (25) which corrects the current time data measured by the time-measuring portion (24), on the basis of the time data contained in the standard-time radio wave signal received by the radio-wave receiving portion (20a), wherein the transmission control portion (2)

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transmits radio wave that contains the time data based on the current time data measured by the time-measuring portion (24) (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Regarding claim 19: Tanoguchi discloses time-correcting system according to claim 18, wherein the clock(3) further has a standard radio-wave receiving portion (20a) which receives a standard-time radio wave signal containing time data, wherein the time-correcting portion (25) for the clock (3) further corrects the current time data measured by the time-measuring portion (24), on the basis of the time data contained in the standard-time radio wave signal received by the standard radio-wave receiving portion (20a) (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanoguchi.

Regarding claim 4: Tanoguchi discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 4, i.e., wherein the weak-wave transmission-demand signal is a signal transmitted from a wristwatch. Tanoguchi is silent to the particular type of timepiece, e.g., wristwatch. However, Official Notice is taken that it is very well known in the timepiece art to use wristwatches in order to have a

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portable device convenient to the user. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add wrist means to the device of Tanoguchi, in order to conveniently place the portable device on the user.

Regarding claim 20: Tanoguchi discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 20, i.e., wherein the clock comprises a band for strapping the clock on the arm of a user. Tanoguchi is silent to the particular type of timepiece, e.g., clock with bands. However, Official Notice is taken that it is very well known in the timepiece art to use wristwatches in order to have a portable device convenient to the user. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add wristbands to the device of Tanoguchi, in order to conveniently place the portable device on the user.

5. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanoguchi in view of Yoshida et al. [hereafter Yoshida].

Regarding claim 9: Tanoguchi discloses a time-data transmitting apparatus comprising: a transmission control portion (2) which transmits a radio wave containing time data (S2b), at a predetermined time at a first intensity (-3 dB), and a radio wave containing the time data (S2a), at a second intensity (-20 to -130 dB), lower than the first intensity when the transmission-demand signal receiving portion (24) receives the weak-wave transmission-demand signal S1 (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65). Tanoguchi discloses all the subject matter claimed by applicant with the

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exception of the limitation stated in claim 9, i.e., the external switch. Yoshida discloses a time-data transmitting apparatus comprising a reset switch (32), wherein when the switch (32) is turned on, the correction clock (3) enters an initial correction mode. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add the switch, as taught by Yoshida, to the apparatus, as taught by Tanoguchi, in order to be able to manual initiate the time correction operation.

Regarding claim 10: Tanoguchi discloses the time-data transmitting apparatus according to claim 9, wherein the transmission control portion (2) transmits the radio wave containing the time data (S2a), at the second intensity, for a predetermined time (col. 6, lines 40-63).

Regarding claim 11: Tanoguchi discloses the time-data transmitting apparatus according to claim 9, further having: a time-measuring portion (24) which measures the current time data (S1); a standard radio-wave receiving portion (20a) which receives a standard-time radio wave signal (S1) containing time data; and a time-correcting portion (25) which corrects the current time data measured by the time-measuring portion (24), on the basis of the time data contained in the standard-time radio wave signal received by the radio-wave receiving portion (20a), wherein the transmission control portion (2) transmits radio wave that contains the time data based on the current time data measured by the time-measuring portion (24) (col. 6, lines 4-63, col. 8, lines 29-65, col. 10, lines 30-65).

Regarding claim 12: Tanoguchi discloses the time-data transmitting apparatus according to claim 9, wherein the time data contained in the radio wave represents time in minimum units of minutes (col. 4, lines 23-38).

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Regarding claim 13: Tanoguchi discloses the time-data transmitting apparatus according to claim 9, wherein the predetermined time is a one-minute interval (col. 4, lines 23-38).

Regarding claim 14: Tanoguchi discloses the time-data transmitting apparatus according to claim 3, wherein the radio wave transmitted from the transmission control portion (2) is of the same frequency and same format as the standard-time radio wave signal (co. 3, lines 60-67, col. 4, lines 1-10).

Regarding claim 15: Tanoguchi discloses the time-data transmitting apparatus according to claim 3, wherein the radio wave transmitted from the transmission control portion (2) is of a frequency and format, at least one of which differs from that of the standard-time radio wave signal (col. 6, lines 40-63).

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related devices. US 7,190,745 to Takada et al. discloses a radio-controlled timepiece; and JP 05142363 to Yamada discloses a radio wave corrected clock.

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Paula can be reached on (571) 272-2800

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ext 33. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2861.

JMG
3/16/08



RENEE LUEBKE
PRIMARY EXAMINER